IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CIVIL WRIT PETITION NO.4687 OF 1988

Shri V.T.Patil & ors. Petitioners
Vs.
The Superintending Engineer,
MSEB, Bombay Rural Section & ors. Respondents

Mr.D.K.Ghaisas for petitioners.
Mr.P.P.Chavan i/b M/s.Little & Co. for Resp.Nos.1 and 2.

CORAM: B.H.MARLAPALLE & D.B.BHOSALE,JJ.

March 21, 2006.

P.C.

. In this petition filed under Article 226 of the Constitution the petitioners who were the employees of the erstwhile MSEB have assailed the Circular No.140 issued on 15th September 1980 and the seniority list based on the said Circular. They further sought promotions to the post of Upper Division Clerk.

. In the affidavit-in-reply filed on behalf of the employer it was clarified at the first place that the Circular Nos.120 and 140 were issued after filing of the petition and in any case the deemed dates to each of the petitioners were granted on the basis of the said Circulars. It has been further clarified that petitioner no.1 was granted deemed date with effect from 9/9/1981 but was terminated from service

from 25/7/1995. Similarly petitioner nos.2, 3, 5 and 6 came to be absorbed as Upper Division Clerks and they were also granted the deemed date. So far as petitioner no.4 is concerned, he had moved before the Aurangabad Bench and his petition has been decided.
He has been granted the deemed date as 1/9/1988.

. The learned counsel for the petitioners states on instructions that in view of the affidavit filed and referred to hereinabove, nothing further survives in this petition.

. The petition is, therefore, disposed as infructuous. Rule discharged. No costs.

(D.B.BHOSALE,J.) (B.H.MARLAPALLE,J.)